

**CHAPTER 48-12-02
PRIMATES, WOLVES, AND WOLF HYBRIDS**

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48-12-02-01. Purpose. Primates, wolves, and wolf hybrids, as defined in this chapter, are category 4 nontraditional livestock animals under chapter 48-12-01. Accordingly, all requirements and restrictions pertaining to category 4 nontraditional livestock animals outlined in chapter 48-12-01 and North Dakota Century Code title 36 apply to primates, wolves, and wolf hybrids, in addition to the requirements and restrictions outlined in this chapter.

History: Effective October 1, 1998.

General Authority: NDCC 36-01-08

Law Implemented: NDCC 36-01-08.4

48-12-02-02. Definitions.

1. "Exposure" means any time the animal is in the presence of persons other than the owner, handler, or immediate family.
2. "Primates" means nonhuman primates.
3. "Wolf" means any animal of the species *canis lupis*.
4. "Wolf hybrid" means any animal that is any part wolf.

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48-12-02-03. Housing and handling requirements.

1. **Primates.** Primates must have a dedicated area, such as a room or cage-type enclosure, separate from other living areas of human occupants. Such an area will be considered a primary enclosure.

Space requirements:

- a. Indoor primate enclosures must be at least two square feet [.1858 square meters] per pound [.4536 kilograms] of adult body weight per animal. This figure must be increased by fifty percent for each additional animal. The height of the primate enclosure must be at least four times taller than the animal's body length.

- b. Primates kept outdoors must have a dedicated enclosure, which must include a roof, shelter from the elements, fence, and a lock on the enclosure. The dimensions of the outdoor enclosure must be at least as large as required for the indoor enclosure. There must also be a perimeter fence.

General housing requirements. All primate housing must comply with title 9, Code of Federal Regulations, section 3.75.

Exposure. Any primate which is in the presence of persons other than the owner, handler, or immediate family must be under the direct control and supervision of the owner or handler at all times.

2. **Wolves and wolf hybrids.**

Outdoor facilities. If the animal is outdoors it must be contained in an outdoor holding facility that meets the requirements of this section.

- a. Minimum floor space per animal must be two hundred square feet [18.58 square meters] and floor space must be increased by one hundred square feet [9.29 square meters] for each additional animal. The enclosure must be at least eight feet [2.44 meters] high with an additional overhang of fencing angling into the pen or six feet [1.83 meters] high with a ceiling.
- b. The enclosure must be made of steel chain link fencing of at least eleven gauge strength, or fencing of adequate strength as approved by the state veterinarian, fastened to a cement floor. If a dirt floor is used, an underfencing should extend at least forty-two inches [106.7 centimeters] into the pen. The underfencing must be covered with adequate layers of dirt, gravel, or other substrate and any holes checked and refilled on a regular basis.
- c. Gates must have locks to prevent unauthorized entry of individuals.
- d. Shade and shelter from elements and inclement weather must be provided.
- e. A perimeter fence meeting the requirements of title 9, Code of Federal Regulations, sections 3.75, 3.77, and 3.78, must be required if the animal is kept within the city limits or other populated areas as determined by the state veterinarian.

Exposure. Any wolf or wolf hybrid that is in the presence of persons other than the owner, handler, or immediate family must be under the direct control and supervision of the owner or handler at all times.

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48-12-02-04. Health requirements.

1. Primates.

a. Requirements for importation include:

- (1) Health certificate and importation permit from the board, containing the following:
 - (a) Negative tuberculosis test within thirty days of importation into the state, with human tuberculin used in testing.
 - (b) Negative hepatitis test.
 - (c) Fecal sample tested negative for parasites, shigella, and salmonella.
 - (d) Statement that primate has not shown signs of or been exposed to infectious disease in the last one hundred eighty days.

b. Requirements for maintaining a primate after importation:

- (1) Negative tuberculosis test prior to renewal of license.
- (2) Negative tuberculosis test within thirty days of change of ownership.

2. Wolf and wolf hybrids.

a. Requirements for importation include:

- (1) A health certificate and permit.
- (2) A statement or health certificate that the animal has not been exposed to rabies.

- (3) The animal cannot come from an area that is quarantined for rabies, unless approved by the state veterinarian.

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